1762/06

Filed on 19/4/06

by Shri Pravin Tiwari Advocate

19/4/06

R to D.R. (J)

(3)

(1)

Single Bench

IN THE HIGH COURT OF JUDICATURE AT BILASPUR (C.G.)

CRIMINAL REVISION NO. 252 OF 2006

APPLICANT : Madanlal Pandey, aged about 50 years, Son of Shri Suraj Prasad Pandey, employed as II Officer, The Bilaspur Raipur Kshetriya Gram Bank, presently posted in the Branch of the Bank at Ganiyari, Tahsil Kota, District Bilaspur (C.G.).

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VERSUS

NON-APPLICANT The State of Chhattisgarh, through: The S.H.O., S.C./S.T. Police Station, Bilaspur, Tahsil and District Bilaspur (C.G.).

CRIMINAL REVISION UNDER SECTION 397/401 OF THE CODE OF CRIMINAL PROCEDURE, 1973

XI-HC-22

(19)

उच्च न्यायालय, छत्तीसगढ़, बिलासपुर

आदेश पत्रक

मामला क्रमांक Cr. Rev. 252/06 सन् 200

विरुद्ध

आदेश का दिनांक आदेश क्रमांक सहित	आदेश हस्ताक्षर सहित	कार्यालयीन मामलों में डिप्टी रजिस्ट्रार के अन्तिम आदेश
	21.04.2006 Applicant-Madanlal Pandey by Shri M.D.Sharma, Advocate. State by Ms. Sunita Jain, Panel Lawyer. Heard on admission. This Criminal Revision is directed against an order dated 22.3.2006 passed by Shri Mahendra Rathore, Special Judge, (Atrocities), Bilaspur in Special Criminal Case No.42/2006 whereby while discharging the applicant from an offence under Section 3(1)(xi) of the Scheduled Castes& Scheduled Tribes(Prevention of Atrocities) Act, 1989, the learned trial Judge held that *prima facie* a case under Section 354 I.P.C. existed against the applicant and after framing charge thereunder directed that the case be tried by Judicial Magistrate First Class, Pendra Road. Having heard the rival contentions, this Revision has no substance. The F.I.R. lodged by the prosecutrix as also her statement recorded under Section 161 Cr.P.C. clearly show that on finding that her parents were not at home, the applicant caught hold of her hand and pulled her. This clearly constitutes *prima facie* an offence under Section 354 I.P.C. against the applicant. The impugned order dated 22.3.2006 passed by the learned Special Judge (Atrocities) cannot be faulted with.	

[पीछे देखिये

XI-HC-22

(56)

उच्च न्यायालय, छत्तीसगढ़, बिलासपुर

आदेश पत्रक

मामला क्रमांक ..... सन् 200

..... विरुद्ध .....

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Anjali	In the result this Revision being devoid of merit is dismissed at the stage of motion. Accordingly, M.Cr.P.No.824/2006 for stay stands dismissed. Sd/- Dilip Raosaheb Deshmukh Judge	